

Remarks

Amendments to the Claims

Upon entry of the foregoing amendment, claims 1, 3-16 and 18-20 are pending in the application. Of the pending claims, claims 1, 11 and 15 are independent. Amended claim 1 corresponds to originally filed claim 2 (amended claim 1 is originally filed claim 2 rewritten in independent form). Amended claim 15 corresponds to originally filed claim 17 (amended claim 15 is originally filed claim 17 rewritten in independent form). Claim 11 has not been amended.

Claims 3 and 18 were amended to change the pendency from the cancelled claims 2 and 17 to amended claims 1 and 15 respectively.

Original claims 3 (amended claim 1), 11, and 17 (amended claim 15) were rejected as being unpatentable over Boyd in view of Saltness. This rejection is respectfully traversed. Boyd discloses a waterbed mattress including a vinyl watertight water bladder covered by an inflatable air cushion (see lines 1-2 of the abstract and lines 5-7 of column 1). The inflatable air cushion provides at least two functions which are important to the invention of Boyd. As can be seen in Figure 8, the air cushion forms an insulating layer 55 which greatly reduces the heat lost by the user's body due to conduction to the water in the water bladder (column 3, lines 56-62). The inflatable air cushion can also be used to adjust the firmness of the mattress without spilling any water (column 1, lines 44-48). Adding or removing air from the inflatable air cushion allows a user to adjust the feel of the mattress.

The examiner has stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mattress disclosed by Boyd to have a fluid communication channel, as taught by Saltness, to provide a means for maintaining a desired shape upon inflation. It is respectfully submitted that such a modification would destroy the intent and purpose of the invention of Boyd. Specifically, the inclusion of a fluid communication channel between the air cushion and the water bladder would negate the benefits identified above. The suggested modification would allow water to flow from the water bladder into the air cushion where the water would cause a user to suffer heat loss by conduction to the water. The suggested modification would also defeat the purpose of easily adjusting the firmness and comfort of the mattress.

As the proposed modification of Boyd in view of Saltness destroys the intended function of Boyd, the examiner has failed to establish a prima facie case of obviousness. For this reason, applicant respectfully requests that the examiner withdraw the rejection. As the rejection of claims 3 (amended and currently pending claim 1), 11, and 17 (amended and currently pending claim 15) have been traversed, all independent claims should be allowed. The dependent claims should also be allowed at least for the reasons stated above.

Saltness also fails to establish a prima facie case of obviousness when considered alone. Saltness does not disclose separate top and bottom compartments having distinct layers. There is also no additional seal connecting the first inflatable compartment to the second inflatable compartment.

Conclusion

Accordingly, Applicant respectfully submits that independent claims 1, 11 and 15 are allowable over the prior art of record. For similar reasons, Applicant urges that the dependent claims are also allowable.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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Marked-up set of Claims

1 (amended). An air mattress comprising:

a first inflatable compartment having a first layer, a second layer, and a periphery defining a length and a width;

a second inflatable compartment having at least one additional layer and extending generally said length and width of said periphery, said second inflatable compartment being tufted; and

a perimeter seal connecting said first inflatable compartment to said second inflatable compartment, wherein said perimeter seal is recessed from said periphery;

wherein said second layer forms a boundary surface between said first inflatable compartment and said second inflatable compartment and contains a plurality of fluid communication channels between said first compartment and said second compartment.

3 (amended). The air mattress as set forth in claim [2]1, wherein said second inflatable compartment further comprises a second additional layer between said one additional layer and said first inflatable compartment, said second additional layer being sealed to said second layer of said first inflatable compartment adjacent to said plurality of fluid communication channels.

15 (amended). An air mattress comprising:

a first inflatable compartment having a first layer, a second layer, and a periphery defining a length and a width;

a second inflatable compartment having at least one additional layer and extending generally said length and width of said periphery, said second inflatable compartment being tufted; and

a layer of cushioning material in one of said first inflatable compartment and said second inflatable compartment, wherein the other of said first inflatable compartment and said second inflatable compartment is inflated but does not contain a layer of cushioning material;

wherein said second layer forms a boundary surface between said first inflatable compartment and said second inflatable compartment and contains a plurality of fluid communication channels between said first compartment and said second compartment.

18 (amended). The air mattress as set forth in claim [17]15, wherein said second inflatable compartment further comprises a second additional layer between said one additional layer and said first inflatable compartment, said second additional layer being sealed to said second layer of said first inflatable compartment adjacent to said plurality of fluid communication channels.